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7 Attorneys for the United States of America

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **OAKLAND DIVISION**

11 NILEX CORPORATION, on behalf of ) No. C 09-3723-CW  
12 itself and the UNITED STATES, )  
13 Plaintiff, ) **STIPULATION OF DISMISSAL;**  
14 v. ) **ORDER**  
15 DGI-MENARD INC.; SETH )  
PEARLMAN; ROGER BLOOMFIELD; )  
16 and RICHARD ALLEN HAMMERS, )  
17 Defendants. )

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18 1. Under Fed. R. Civ. P. 41(a)(1), the United States of America and Plaintiff-Relator Nilex  
19 Corporation hereby stipulate to the dismissal of this action with prejudice, pursuant to the terms  
20 and conditions of the Settlement Agreement effective November 3, 2010.

21 2. No answer has been served or filed, and no parties other than the United States and the  
22 Relator have appeared in this action.

23 3. A case management conference is currently scheduled for November 30, 2010. In light of  
24 the settlement and dismissal, we ask that the case management conference be vacated.

25 **IT IS SO STIPULATED.**

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STIPULATION OF DISMISSAL  
C-09-3723-CW

1 Date: November 15, 2010

Respectfully submitted,

2 MELINDA HAAG  
3 United States Attorney

4 By: */s/ signature on file*  
5 SARA WINSLOW  
6 Assistant United States Attorney  
7 Attorneys for the United States of America

8 Date: November 15, 2010

ROGERS JOSEPH O'DONNELL

9 By: */s/ signature on file*  
10 AARON P. SILBERMAN  
11 Attorneys for Nlex Corporation

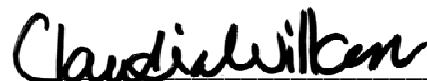
**ORDER**

12 Pursuant to stipulation IT IS HEREBY ORDERED:

13 1. This action is dismissed with prejudice.  
14 2. The case management conference scheduled for November 30, 2010 is vacated.

15 IT IS SO ORDERED.

16 Dated: 11/17/2010



17 HONORABLE CLAUDIA WILKEN  
18 United States District Judge